REMARKS

Claims 1-40 are pending in the present application. Claims 8-16, 18-22, 24-31, and 34-37 were amended to correct dependencies and Claim 41 was added. Reconsideration of the claims is respectfully requested in light of the amendments and the following remarks.

35 U.S.C. § 103, Obviousness

The examiner has rejected claims 1-40 under 35 U.S.C. § 103 as being unpatentable over Noguchi (U.S. Patent No. 5,983,184). This rejection is respectfully traversed.

Representative Claim 1 reads,
> 1. A method in a data processing system for audibly presenting a document, the method comprising:
> parsing the document to identify a presence of a selected tag indicating an emphasis level, wherein text is associated with the selected tag; and
> responsive to an identification of the presence of the selected tag, audibly presenting the text using the emphasis level prior to presenting other text within the document.

With regards to claim 1, the Office Action states:

> "...responsive to an identification of the presence of the selected tag, audibly presenting the text using the emphasis level"). Noguchi does not explicitly teach that the selected tag is read...prior to presenting other text within the document. However, Noguchi does teach that in response to using certain predefined function keys, one can maneuver about the page in a number of ways, some of which would effectively read the selected tags before reading any other text in the web page (see Cols. 17-19). Therefore, one of ordinary skill in the art at the time of invention would have found it obvious to have been able to quickly locate portions of the text, such as hyperlinks before hearing any of the remaining text providing the benefit of audibly locating links to other web sites.[1]

It is respectfully submitted that there are several problems with this rejection: a) Noguchi is not responsive to detecting the tag, but requires user input and b) no motivation has been provided that would be used by one of ordinary skill in the art. These problems will be discussed separately.

Noguchi Requires User Input

As seen in the quote above, the rejection suggests that one could modify Noguchi to maneuver around the page, effectively reading the tagged elements first. However, it is

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[1] Office Action dated April 6, 2004, pages 3 and 4

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noted that in Noguchi, the identification of a tag by itself does not trigger the jump that this patent discloses. Rather, detection of the tag sets the stage for the user to provide an input that will cause the jump, as seen in the following quote,

> According to one aspect of the present invention, a method for controlling a hyper text including a plurality of link keyword, wherein each of the link keyword is related to a link destination information, comprises the steps of: (a) producing a word list managing information for specifying the link keyword and position information for specifying a position of the link keyword in the hyper text; (b) producing voice synthesis input information by converting the hyper text; (c) synthesizing the voice synthesis input information; (d) obtaining a voice synthesis pointer information related to a position in the hyper text related to a position currently synthesized; (e) determining a related link keyword by searching a position information in the hyper text related to the voice synthesis pointer information in the word list; (f) <u>detecting user input instructing to jump to a link destination; and (g) accessing, in response to the user input, to a link destination</u> by using link destination information related to the related link keyword.[2]

Without the user input, Noguchi continues reading and thus would not perform as is asserted in the rejection. It is further submitted, that, even if one modified Noguchi to jump to the link destination without waiting for a user input (which would make it harder for the user to control their access to the Internet), the web page would also have to be modified to provide the proper steps to jump to, a need not envisioned by Noguchi. Therefore, it is submitted that Noguchi does not meet the limitation of presenting associated text first in response to locating the tag.

Motivation

The rejection provides, as a motivation to modify Noguchi, that one would want to "quickly locate portions of the text, such as hyperlinks before hearing any of the remaining text providing the benefit of audibly locating links to other web sites". Yet, it is submitted that Noguchi is not directed to hearing about links to other sites before the rest of the text; rather this patent is about the ability to <u>go</u> to other links. It is submitted that Noguchi does not provide a motivation to modify this patent in such a manner as to simply read the associated text. As mentioned above, Noguchi would require a number of modifications in order to meet the claimed allowances. This patent simply does not provide the motivation to do so. Furthermore, it is submitted that the motivation presented in the

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[2] Noguchi, column 3, lines 39-56, underlining added

rejection is not one that one of ordinary skill would use. Rather, it is asserted that the
motivation has been made using the hindsight of the invention and is thus invalid.

Additional Distinctions

It is asserted that claim 7 and similar claims provide even more distinction over
Noguchi. Claim 7 reads,

> 7.   A method in a data processing system for presenting a document, the
> method comprising:
>   receiving the document;
>   parsing the document to identifying a present of a selected tag, wherein a
> set of text is associated with the selected tag;
>   responsive each selected tag identified to form an identified tag, placing the
> set of text in a data structure;
>   responsive to placing the set of text in the data structure, associating an
> emphasis level with the set of text; and
>   responsive to a completion of parsing the document, presenting each set of
> text in the data structure using an associated emphasis level.

It is asserted that claim 7 recites more clearly than claim 1 above that the entire
document is parsed prior to the presentation of the text. This is not a feature that is shown
in Noguchi. Rather, as each tag of Noguchi is presented verbally, there follows a period
of time, until the presentation of the next tag, in which the user can make an input and be
forwarded to the link. This is in contradiction to the claimed action, in which the entire
document is parsed before any text is presented. This claim thus distinguishes even more
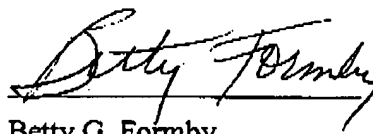over Noguchi.

Conclusion

It is respectfully urged that the subject application is patentable over Nogochi and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: _7-6-04_

Respectfully submitted,

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